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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

KRONGAUZ et al.

Appln. No.: 08/961,084

Group Art Unit: 1711

Filed: October 30, 1997

Examiner: Berman, S.

For: DIELECTRIC, RADIATION-CURABLE COATING COMPOSITION

\* \* \* \* \*

February 24, 2003

**REQUEST TO REINSTATE AND ISSUE APPLICATION**

Hon. Commissioner of Patents  
Washington, DC 20231

Sir:

On October 31, 2001, the U.S. Patent and Trademark Office (USPTO) mailed a Notice of Allowance for the above-identified application. The Issue Fee was timely paid by Applicants on January 31, 2002.


Nevertheless, a Notice of Abandonment was mailed by the USPTO on May 21, 2002. A copy of this Notice of Abandonment is attached hereto. The Notice sets forth that the application was abandoned in view of "Applicant's failure to timely file new formal drawings as required by, and within the three-month period set forth in, the Notice of Allowability (PTOL-37)." Applicants, however, were under the impression that new drawings were not required because, contrary to the statement in the Notice of Abandonment, the Notice of Allowability did not indicate that Formal Drawings had to be submitted. A copy of the Notice of Allowability is enclosed.

Consequently, Applicants kindly request reinstatement and issuance of the above-identified application. Furthermore, despite the Notice of Allowability not indicating a requirement to submit formal drawings, Applicants have enclosed new drawings herewith.

It is believed that no fees are due. However, should the Examiner disagree, please consider this a Petition to Revive under Rule 1.137(b) and charge the petition fee of \$1,240 per Rule 1.17(m) to our deposit account 03-3975 under order no. 21028/240606. As is evident from the above, the "delay" in filing the formal drawings was entirely unintentional.

Respectfully submitted,

PILLSBURY WINTHROP LLP

By 

Paul L. Sharer

Reg. No. 36,004

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PLS/wdw  
1600 Tysons Boulevard  
McLean, VA 22102  
Tel. No.: (703) 905-2000



**UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER 081961,084	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER NUMBER P#26
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DATE MAILED:

**NOTICE OF ABANDONMENT**

This application is abandoned in view of:

- ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on \_\_\_\_\_.
- ☐ A reply (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_, which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
- ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
- ☐ No reply has been received.
- ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
- ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance.
- ☐ The submitted fee of \$ \_\_\_\_\_ is insufficient. A balance of \$ \_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$ \_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$ \_\_\_\_\_.
- ☐ The issue fee and publication fee, if applicable, has not been received.
- ☒ Applicant's failure to timely file new formal drawings as required by, and within the three-month period set in, the Notice of Allowability (PTOL-37).
  - ☐ Proposed new formal drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - ☐ The proposed new formal drawings filed on \_\_\_\_\_ are not acceptable and the period for reply has expired.
  - ☒ No proposed new formal drawings have been received.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interferences rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below:

**ABANDONMENT  
CONTACT PERSON IS:  
TOM HAWKINS**



### Notice of Allowability

Application No.	Applicant(s)	
08/961,084	KRONGAUZ ET AL.	
Examiner	Art Unit	
Susan W Berman	1711	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment H, filed 10-17-2001.
2. ☒ The allowed claim(s) is/are 19,27,31-39,43-48,52 and 53.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

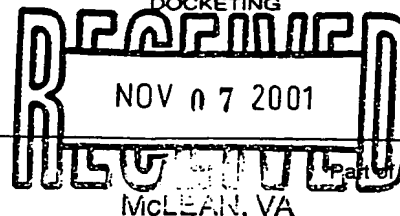
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

- |  |   |
|--|---|
| <input type="checkbox"/> Notice of References Cited (PTO-892)  | <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)          |
| <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____             |
| <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____               | <input checked="" type="checkbox"/> Examiner's Amendment/Comment                  |
| <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
|  | <input type="checkbox"/> Other  |

PILLSBURY WINTHROP  
DOCKETING



**EXAMINER'S AMENDMENT**

#24 / I  
10/30/01  
D

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Paul Sharer on October 30, 2001.

The application has been amended as follows:

Claim 31, change " 150 °C " to " 24 °C ".

**REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance:

Applicant has amended the instant claims to specify that the composition comprises 5-50 weight percent of the polyacrylated diluents set forth in claim 1, a (meth)acrylate ester of phosphoric acid as the acidic adhesion promoter and 5-50 weight percent of one of the monofunctional diluents set forth in claim 1 and to specify the dielectric dissipation factor and Tg of the composition after cure. It is agreed that Shustack does not provide motivation to select the instantly claimed combination of polyacrylated diluents and monofunctional diluents now recited in claim 1 or provide teaching to provide a composition having the dielectric dissipation factor and Tg, after cure, set forth in the instant claims.

Application/Control Number: 08/961,084

Page 3

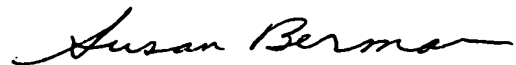
Art Unit: 1711

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Berman whose telephone number is (703) 308-0040.

The fax number for this group is (703) 872-9310 or, for submissions after Final Rejection, (703) 872-9311.

Any inquiry of a general nature or relating to the status of this application should be directed to the Customer Service telephone number (703) 306-5665.



Susan Berman  
Primary Examiner  
Art Unit 1711

S B  
10/30/01

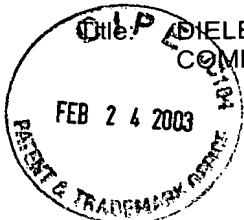
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re PATENT APPLICATION of  
 Inventor(s): KRONGAUZ et al.  
 Appln. No.: 08 | 961,084

Group Art Unit/TC: 1711  
 Examiner: S. Berman  
 Atty. Dkt. P | 0240606 | D879PR  
 M# | Client Ref

Filed: October 30, 1997

Attention:



Title: DIELECTRIC, RADIATION -CURABLE COATING COMPOSITION

Date: February 24, 2003

**FILING OF FORMAL DRAWING(S)**

Hon. Commissioner of Patents  
 Washington, D.C. 20231

Sir:

1. Please accept the herewith 4 sheet(s)
2. of formal drawing(s) on ☒ A4 ☐ 11" size paper
3. of Figure(s) 1, 2, 3a and 3b
4. of which Figure(s)     is/are **black and white photographic drawings** (**DO NOT** use this form for photographic drawings in **color** (see PAT-280).
5. ☐ which is/are in lieu of the informal drawing(s) filed earlier.
6. ☐ which include the corrections required/approved by the Draftsperson/Examiner in the ☐ Office Action dated                      or ☐ Notice of Allowability (PTO-37) dated    .

**NOTE**

- A. PTO waived requirement for 3 sets of B/W photos June 9, 1998, 1211 OG 34;
- B. PTO waived requirement for petition and petition fee for B/W photos August 4, 1998, 1213 OG 108.
- C. Petition and fee are still required for photographs which are in color. See Rule 84(a)(2).

A,B,C were confirmed in 9/8/00 Rule 84 changes

**EXTENSIONS NOT AVAILABLE Re NOTICES OF ALLOWABILITY ISSUED ON/AFTER 11/7/00**

		Large/Small Entity	Fee Code
7. Original due date:	<input checked="" type="checkbox"/> NONE		
8. Petition is hereby made to extend the original due date to cover	(1 mo)	\$110/\$55 =	115/215
The date this response is filed for which the requisite fee is charged	(2 mos)	\$410/\$205 =	116/216
	(3 mos)	\$930/\$465 =	117/217

9. **TOTAL FEE** **\$0**

(Our Deposit Account No. 03-3975)

(Our Order No. 021028

C#

0240606

M#

**PLEASE CHARGE OUR DEP. ACCT.**

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

**Pillsbury Winthrop LLP  
 Intellectual Property Group**

P.O. Box 10500  
 McLean, VA 22102  
 Tel: (703) 905-2000

By Atty: Paul L. Sharer

Reg. No. 36,004

Atty/Sec: PLS/DLL

Sig:

Fax: (703) 905-2500  
 Tel: (703) 905-2180

**NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments**